ON BACK

JURISDICTION IN RELATION TO MOOSE HUNTING

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- In Ontario, the Ministry of Natural Resources (MNR) regulates moose hunting using a tag system that residents can apply for annually.

- The MNR also claims to be responsible for ecological management including moose habitats and populations, and conservation efforts such as enforcement, monitoring, and reporting on moose hunting.

- **What if we could restore Indigenous jurisdiction in relation to moose hunting?** What if Indigenous nations could issue the tags? Maybe then, those nations could also fulfill responsibility under their own laws to take care of moose populations **in Treaty 9 Territory**. As a bonus - maybe this could operate as a Cash-Back measure to generate revenues to nations to put towards moose stewardship.

WHAT DO WE PROPOSE?

A Moose Treaty in Treaty 9 Territory that abolishes the extractive-capitalist framework of the moose tag system

A Cash-Back structure that strengthens local Indigenous economies and supports Indigenous Peoples' relational responsibility to moose and the land

Entails sustainable harvest of moose as a food source based on the protocols of the Nations, and mitigation of hunting waste through education on proper processing and use of all parts of the animal.

The creation of a Moose Law between First Nations grants Treaty 9 Nations Jurisdiction-Back not only in relation to a food source, but also revenues for land restoration, education, Indigenous-led environmental monitoring, food security, and increased non-extractive employment opportunities for their members.

WHERE THE AUTHORITY LIES NOW	***WHERE THE AUTHORITY SHOULD LIE***
Ministry of Natural Resources	Indigenous Nations of Treaty 9

OPPORTUNITIES	BARRIERS
Much like the Buffalo Treaty is gaining signatories that do not traditionally have a relationship with Buffalo, this project could expand internationally to form a Moose Coalition that works to restore Indigenous jurisdiction more broadly.	Pollution and habitat fragmentation from extractive industries poses a significant barrier to securing the health and holistic wellbeing of moose.
A Moose Treaty and Law can support moose by extending its habitat and protecting vegetation and waters.	Much of the moose habitat is on Crown land and therefore requires decolonization and the return of Indigenous jurisdiction in relation to land and waters.
Indigenous jurisdiction can allow for the gifting of moose parts (hide, bones, organs) that are traditionally discarded by non-Indigenous hunters to the affiliated Nations for use in artisanal practices, preventing widespread wastage.	The Government of Canada's support of extractive projects, inaction on climate change, and investment in major mining projects exascerbates the problem, rather than protecting biodiversity and moose habitats such as the boreal forest and wetlands.

OPPORTUNITIES	BARRIERS
Promoting the distribution of meat by reallocating funds to pay Indigenous hunters a flat fee, in exchange for a portion of the hunt determined by the hunter themselves. For those with less of an established relationship with the Nation on whose territory they are hunting, including settler hunters, sharing a portion of the hunt can help foster stronger relationships.	The MNR, as the settler governing body over both moose stewardship and the tag allotment system, may be unwilling to transfer these responsibilities to Indigenous nations. But why should the annual moose hunt continue to generate revenues for the Province of Ontario? ***The authority to govern must come with form the knowledge to govern.***
Forming partnerships to create a “meat tax” where portions of every hunt made within Moose Coalition territory can serve to create food banks and other food insecurity programs.	
We suggest that money derived from moose tags could be used to support educational programs for both Indigenous and non-Indigenous Peoples.	Non-Indigenous hunters and conservationists, farmers and settlers may feel personally threatened by the new distribution of power.

NEXT STEPS

Approach Treaty 9 Nations about creating a Treaty-wide coalition for the education, management, revenue generation, and enforcement of Moose Law across the territory.

Create a Moose Treaty and Law that respects the legal agency of moose and restores Indigenous jurisdiction in relation to moose hunting, monitoring, and management in Treaty 9 Territory.

Meet with the Ontario government to call for the redistribution of revenue generated from moose hunting and re-assignment of authority to allocate the tags.

Restoration of jurisdiction to Indigenous Nations of Treaty 9 will strengthen relations of care and support Indigenous futurities (Daigle, 2023).

Call for Ontario to replace the MNR's Ontario Hunter Education Course with Indigenous-led land-based education as a requirement to hunt in Treaty 9.

POSSIBLE COALITIONS

Indigenous Nations (beyond Treaty 9), Indigenous Guardians programs

Indigenous organizations that provide land-based education

Moose advocacy groups such as the Anishnabe Moose Committee

‘Formal’ Indigenous governance structures such as the Chiefs of Ontario and the Nishnawbe Aski Nation

Grassroots governance structures

Conservation NGOs

POSSIBLE OPPONENTS

Ministry of Natural Resources (MNR)

Ontario Government + Municipal Government

Non-Indigenous Hunter and Farmers

COMPROMISES & TENSIONS

- The Moose Treaty will establish a protocol and permission-gathering framework for Indigenous hunters from outside Treaty 9.
- It will require that they seek permission from the Nations whose land they are hunting on, with permission gathered from systems of protocol drawn from both their home Nation and the laws of the Nation from which they are seeking permission. If this process is not followed, then the hunter(s) may not be granted permission or the required tags to hunt on those territories.
- There may be conflict pertaining to jurisdiction with the Métis Nation of Ontario, as the Treaty 9 Nations do not recognize the jurisdiction of the Métis Nation of Ontario in Treaty 9 Territory (Nishnawbe Aski Nation, n.d.).

  Resource extraction projects may not comply with the Moose Treaty and Law that prevents pollution and habitat fragmentation.
- Further attempts of the settler state to alienate Indigenous Nations from the land through “morality” and the need for green energy projects within a Western paradigm.
- Tensions and incommensurability with the dominant mode of capitalist extraction (e.g., the Ring of Fire), and thus the state’s efforts to secure and support neoliberalism, in addition to state sovereignty.

REFERENCES

Clifford, R. (2022). The old people are the song, and we are their echo:

Resurgence of w̱ sáneć law and legal theory [Dissertation]. York University.

Daigle, M. (2023). Indigenous Methodologies of Care and Movement. American Indian Culture and Research Journal, 46(3). https://doi.org/10.17953/A3.1554

Drake, K. (2020). Indigenous Constitutionalism and Dispute Resolution Outside the Courts: An Invitation. Federal Law Review, 48(4), 570-585. https://doi.org/10.1177/0067205X20955069

Nishnawbe Aski Nation. (n.d.). NAN Stands with Chiefs of Ontario, Manitoba Métis Federation against MNO and Bill C-53. Nishnawbe Aski Nation. Retrieved June 8, 2026, from https://www.nan.ca/news/nan-stands-with-chiefs-of-ontario-manitoba-metis-federation-against-mno-and-bill-c-53/

Government of Ontario. (2019, April 17). Points-based moose tag allocation process | ontario.ca. http://www.ontario.ca/page/points-based-moose-tag-allocation-process

Pasternak, S., Metallic, N. W., Numata, Y., Sekharan, A., Galley, J., & Wong, S. (2021). Cash Back: A Yellowhead Institute Red Paper. Yellowhead Institute. Retrieved https://cashback.yellowheadinstitute.org/.

The James Bay Treaty: Treaty No. 9 [Canada's Copy] (1906). https://www.rcaanc cirnac.gc.ca/eng/1100100028863/1581293189896